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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE: MCKINSEY & CO., INC.
NATIONAL PRESCRIPTION OPIATE
CONSULTANT LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 21-md-02996-CRB (SK)

**STIPULATION AND [PROPOSED]
ORDER REGARDING DISCOVERY
SCHEDULE**

Judge: Hon. Charles R. Breyer

Courtroom: 6, 17th Floor

STIPULATION

WHEREAS, pursuant to the October 27, 2022 Joint Case Management Statement and Discovery Schedule (“Discovery Schedule”), the parties are required to meet and confer on or before December 13, 2022 concerning (a) appropriate limits on interrogatories and submit to the court a proposed order reflecting agreed-upon limits (Dkt. 440 § III.d.iii); (b) a proposed Plaintiff Fact Sheet (“PFS”) and Plaintiff Fact Sheet Implementation Order (“PFS Implementation Order”) to govern written discovery propounded on the Tribal Plaintiffs and submit to the Court an agreed upon proposal (Dkt. 440 § III.d.iv); and (c) the identification of documents and ESI (Dkt. 440 § III.c);

WHEREAS, in the event the parties are not able to reach an agreement on either the Plaintiff Fact Sheets or appropriate limits on interrogatories, the Discovery Schedule directs the parties to submit their respective positions or proposals, as applicable, to Magistrate Judge Kim by December 20, 2022 (Dkt. 440 §§ III.d.iii-iv);

WHEREAS, the parties have exchanged written proposals and other correspondence related to the discovery matters listed in the first paragraph, have met and conferred concerning Defendants’ documents and ESI, and are engaging productively in ongoing discussions concerning interrogatory limitations, the Tribal PFS, Plaintiffs’ documents and ESI, and discovery planning as contemplated by the Discovery Schedule, but require additional time—particularly given the upcoming winter holidays—to continue their ongoing meet and confer efforts, which the parties believe should limit the need to raise disputes with the Court;

WHEREAS, the parties have not requested any prior modifications to the Discovery Schedule;

NOW, THEREFORE, the parties hereby agree, stipulate and respectfully request that the Discovery Schedule be amended to provide that:

- (i) the parties shall submit to the Court a proposed order governing appropriate limits on interrogatories and a proposed PFS and PFS Implementation Order or, in the event the parties cannot reach an

1 agreement, shall submit their respective positions or proposals, as
2 applicable, to Magistrate Judge Kim, by January 18, 2023.

3 The parties further hereby agree and stipulate that all other terms and provisions in the
4 Discovery Schedule that are not expressly modified herein shall remain as provided therein.

5 **IT IS SO STIPULATED.**

6
7 Dated: December 15, 2022

By: /s/ Elizabeth J. Cabraser

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13 *Plaintiffs' Lead Counsel and on behalf of the*
14 *Plaintiffs' Steering Committee*

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[PROPOSED] ORDER

Pursuant to stipulation, and for good cause shown, IT IS SO ORDERED.

DATED: _____

CHARLES R. BREYER
United States District Judge